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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,
10 Plaintiff,
11 v.
12 Mehrad Asadieidivand,
13 Defendant.
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No. CV-25-02011-PHX-SPL (DMF)
ORDER

15 The Government filed this action seeking an order authorizing the involuntary
16 hydration and medical examination of Defendant Mehrad Asadieidivand, an immigration
17 detainee housed at the Florence Detention Center (Doc. 1). The Government states it is
18 bringing this action pursuant to its obligation to provide medical care in 8 U.S.C.
19 § 1231(f).¹

20 The Government also moves for a Temporary Restraining Order pursuant to Federal
21 Rule of Civil Procedure 65(b). The Court has considered the Complaint, the Motion,
22 and supporting exhibits and concludes that given Defendant's current condition,
23 immediate and irreparable injury is likely to occur before Defendant can be given notice
24 and an opportunity to respond. Specifically, Defendant has refused to eat since June 6,
25 2025, which required transportation to the hospital when he began experiencing dizziness

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27 ¹ It is unclear whether § 1231(f) provides an independent source of jurisdiction for this
28 action. But, according to *Ex Parte Prins*, 2024 WL 2749151, at *1 (W. D. Wash. May
29, 2024), the Court has jurisdiction to entertain this action under 28 U.S.C. § 1345 and
the Declaratory Judgment Act, 28 U.S.C. § 2201.

1 and weakness. Lab results from the hospital further reflected acute kidney injury. Under
2 these circumstances, a temporary restraining order pursuant to *Winter v. Natural Res. Def.*
3 *Council, Inc.*, 555 U.S. 7, 20 (2008) is appropriate. Further, because of the urgency of the
4 situation, the Court further finds that a temporary restraining order without notice is
5 appropriate to maintain the status quo until Defendant can be heard.

6 **IT IS THEREFORE ORDERED** the Motion for Temporary Restraining Order
7 (Doc. 5) is **granted**.

8 **IT IS FURTHER ORDERED** that the Department of Homeland Security, through
9 competent medical personnel may (1) perform involuntary medical monitoring of
10 Defendant, to include physical examination, obtaining weight and vital signs, and
11 collecting blood and urine samples upon which laboratory tests can be conducted, and to
12 perform such laboratory testing; (2) involuntarily hydrate, medicate, and/or provide
13 nutrition to Defendant; and (3) restrain Defendant, if necessary, to accomplish these
14 procedures.

15 **IT IS FURTHER ORDERED** that the Government must file a status report on
16 Thursday, **June 12, 2025, no later than 5:00 p.m.** After reviewing the status report, the
17 Court will contemplate setting a status hearing or a hearing regarding the continuation of
18 this TRO or a potential preliminary injunction.

19 **IT IS FURTHER ORDERED** that the Government must personally serve the
20 Summons, Complaint, Motion for Temporary Restraining Order, and this Order on
21 Defendant no later than **June 11, 2025**.

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